



CITY OF NEW ORLEANS

DEPARTMENT OF CITY CIVIL SERVICE
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CITY CIVIL SERVICE COMMISSION
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RUTH WHITE DAVIS
ANDREW MONTEVERDE

AMY TREPAGNIER
DIRECTOR OF PERSONNEL

Monday, February 23, 2026

Mr. Akeem Washington

Re: **Akeem Washington VS.**
Department of Property Management
Docket Number: 9790

Dear Mr. Washington:

Attached is the decision of the City Civil Service Commission in above-referenced appeal.

This is to notify you that, in accordance with the rules of the Court of Appeal, Fourth Circuit, State of Louisiana, the decision for the above captioned matter is this date - 2/23/2026 - filed in the Office of the Civil Service Commission at 1340 Poydras St. Suite 900, Orleans Tower, New Orleans, Louisiana.

If you choose to appeal this decision, such appeal must conform to the deadlines established by the Commission's Rules and Article X, Sec.12(B) of the Louisiana Constitution. Further, any such appeal shall be taken in accordance with Article 2121 et. seq. of the Louisiana Code of Civil Procedure.

For the Commission,

A handwritten signature in blue ink that reads "Doddie K. Smith".

Doddie K. Smith
Chief, Management Services Division

cc: Howard E. Nobles, III
Max V. Camp
Jay Ginsberg
file

**CIVIL SERVICE COMMISSION
CITY OF NEW ORLEANS**

**AKEEM WASHINGTON,
Appellant**

Docket No. 9790

v.

**DEPARTMENT OF PROPERTY
MANAGEMENT,
Appointing Authority**

DECISION

Appellant Akeem Washington brings this appeal pursuant to Article X, § 8(A) of the Louisiana Constitution and this Commission's Rule II, § 4.1 seeking relief from a two-day suspension beginning October 8, 2025. (Ex. HE-1). At all relevant times, Mr. Washington had permanent status as a Public Works Maintenance Specialist in the Department of Property Management. (Ex. HE-1; Tr. at 19). A Hearing Examiner, appointed by the Commission, presided over a hearing on December 2, 2025. At this hearing, both parties had an opportunity to call witnesses and present evidence.

The undersigned Commissioners have reviewed and analyzed the entire record in this matter, including the transcript from the hearing, all exhibits submitted at the hearing, the Hearing Examiner's report dated December 14, 2025, and controlling Louisiana law.

For the reasons set forth below, Mr. Washington's appeal is DENIED.

I. FACTUAL BACKGROUND

Deputy Director of Property Management Enrico Sterling testified that on October 8, 2025, he drove to the loading dock for the low-barrier shelter to supervise the load-in for the food truck. (Tr. at 7). Mr. Sterling testified he observed Mr. Washington yelling at Elvin Waters, a supervisor. (Tr. at 8). According to Mr. Sterling, when he asked Mr. Washington about the disagreement, Mr.

Washington responded that the disagreement was “personal.” (Tr. at 8). Mr. Sterling testified that Mr. Washington told him to “get back in [his] car.” (Tr. at 8-9). Mr. Washington then informed Mr. Sterling that he was returning to City Hall. (Tr. at 9). Mr. Sterling considered Mr. Washington’s behavior, including instructing Mr. Sterling to return to his vehicle, insubordinate. (Tr. at 14).

Mr. Sterling asked Mr. Washington to meet Mr. Sterling in his office at City Hall. (Tr. at 9). In a meeting among Mr. Washington, Mr. Sterling, and Whitney Lucas, a Human Resources representative, Mr. Washington failed to provide any additional information about his disagreement with Mr. Waters. (Tr. at 11). Mr. Sterling testified that when he asked whether Mr. Washington anticipated any further disagreements with Mr. Waters, Mr. Washington failed to respond. (Tr. at 13-14).

Based on Mr. Washington’s behavior on the loading dock and insubordination, Mr. Sterling imposed a two-day suspension. (Tr. at 12-14).

Mr. Washington denied that his discussion with Mr. Waters was heated. (Tr. at 21). Mr. Washington also denied instructing Mr. Sterling to return to his vehicle. (Tr. a 23). Mr. Washington also testified that he had responded to Mr. Sterling’s questions about further disagreements with Mr. Waters before they reached City Hall. (Tr. at 25).

II. ANALYSIS

A. Legal Standard for Commission’s Review of Discipline

1. The Appointing Authority must show cause for discipline

“Employees with the permanent status in the classified service may be disciplined only for cause expressed in writing. La. Const., Art. X, Sec. 8(A).” *Whitaker v. New Orleans Police Dep’t*, 2003-0512 (La. App. 4 Cir. 9/17/03), 863 So. 2d 572 (quoting *Stevens v. Dep’t of Police*,

2000-1682 (La. App. 4 Cir. 5/9/01)). “Legal cause exists whenever an employee’s conduct impairs the efficiency of the public service in which the employee is engaged.” *Id.* “The Appointing Authority has the burden of proving the impairment.” *Id.* (citing La. Const., art. X, § 8(A)). “The appointing authority must prove its case by a preponderance of the evidence.” *Id.* “Disciplinary action against a civil service employee will be deemed arbitrary and capricious unless there is a real and substantial relationship between the improper conduct and the “efficient operation” of the public service.” *Id.* “It is well-settled that, in an appeal before the Commission pursuant to Article X, § 8(A) of the Louisiana Constitution, the appointing authority has the burden of proving by a preponderance of the evidence: 1) the occurrence of the complained of activity, and 2) that the conduct complained of impaired the efficiency of the public service in which the appointing authority is engaged. *Gast v. Dep’t of Police*, 2013-0781 (La. App. 4 Cir. 3/13/14), 137 So. 3d 731, 733 (quoting *Cure v. Dep’t of Police*, 2007-0166 (La. App. 4 Cir. 8/1/07), 964 So. 2d 1093, 1094).

2. The Appointing Authority must show the discipline was commensurate with the infraction

The Commission has a duty to decide independently from the facts presented in the record whether the appointing authority carried its legally imposed burden of proving by a preponderance of evidence that it had good or lawful cause for suspending the classified employee and, if so, whether such discipline was commensurate with the dereliction. *Durning v. New Orleans Police Dep’t*, 2019-0987 (La. App. 4 Cir. 3/25/20), 294 So. 3d 536, 538, *writ denied*, 2020-00697 (La. 9/29/20), 301 So. 3d 1195; *Abbott v. New Orleans Police Dep’t*, 2014-0993 (La. App. 4 Cir. 2/11/15); 165 So.3d 191, 197; *Walters v. Dept. of Police of the City of New Orleans*, 454 So. 2d 106 (La. 1984). The Appointing Authority has the burden of showing that the discipline was

reasonable and not arbitrary or capricious. *Neely v. Dep't of Fire*, 2021-0454 (La. App. 4 Cir. 12/1/21), 332 So. 3d 194, 207 (“[NOFD] did not demonstrate . . . that termination was reasonable discipline”); *Durning*, 294 So. 3d at 540 (“the termination . . . deemed to be arbitrary and capricious”).

B. The Department of Property Management has Shown Cause for the Discipline of Mr. Washington

The Commission credits the testimony of Mr. Sterling that Mr. Washington engaged in a heated exchange with Mr. Waters and then exhibited insubordinate behavior to Mr. Sterling. Specifically, Mr. Washington failed to respond to questions about the substance of the disagreement with Mr. Waters, instructed Mr. Sterling to return to his vehicle, and announced that he was returning to City Hall.

Confrontations between employees and insubordinate behavior impair the efficient operations of the Department of Property Management. (Tr. at 14).

1. The penalty of a two-day suspension is commensurate with the violation

The suspension of Mr. Washington is commensurate with his discourteous and insubordinate behavior.

Mr. Washington’s appeal is DENIED.


WRITER:



[Andrew Monteverde, Commissioner \(Feb 21, 2026 13:59:54 CST\)](#)

ANDREW MONTEVERDE, COMMISSIONER

CONCUR:



[Mark Surprenant, Commissioner \(Feb 21, 2026 14:25:03 CST\)](#)

MARK SURPRENANT, COMMISSIONER


Ruth Davis, Commissioner (Feb 21, 2026 14:43:31 CST)

RUTH DAVIS, COMMISSIONER